

IN THE
UNITED STATES DISTRICT COURT
FOR THE
WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 4:18-cr-00011
)	
MARCUS JAY DAVIS)	
<i>Et al.</i>)	

**UNITED STATES' RESPONSE TO DEFENDANT'S MOTION
FOR SUBPOENA OF FORMER COUNSEL**

The United States of America respectfully responds to Defendant Deshaun Trent's Motion for Leave of Court for Permission to Subpoena Cooperating Witness' Former Counsel as a Trial Witness (ECF 706), in which defendants seek a trial subpoena for former Assistant Federal Public Defender Allegra Black.

While a subpoena of a witness's former counsel would normally be inappropriate, in this case, if Matthew Ferguson takes the stand and testifies consistently with the contents of the government's August 30, 2019 letter (attached to the defendant's Motion as Exhibit 1), then the United States agrees that the defendants should have the right to question his counsel regarding those assertions.

WHEREFORE, the United States of America does not oppose the defendants' motion, if Matthew Ferguson testifies at trial consistently with his August 30, 2019 statements.

Respectfully submitted,

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CERTIFICATE

I hereby certify that a true and correct copy of the foregoing has been electronically filed with the Clerk by CM/ECF system, which will send notification of such filing to all counsel of record, on this 12th day of September, 2019.

s/Heather L. Carlton